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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1868
TRUMAN A. HERRON 1935-1978
EDWARD B. EVANS 1936-1971

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March 29, 2004

FACSIMILE COVER SHEET

To: Examiner Gabriel L. Chu
Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

Fax: 703-872-9306

Enclosures:

Fax Cover Sheet containing Certificate of
Facsimile Transmission
Transmittal containing Certificate of
Facsimile Transmission
Amendment and Response

From: Scott A. Stinebruner
Reg. No. 38,323

Re: U.S. Patent Application
Serial No. 09/827,804
Filed: April 6, 2001
Applicant: Timothy Roy Block et al.
Art Unit: 2114
Confirmation No.: 6868
Our Ref: IBM/180

Pages: 14 (including cover sheet)

MESSAGE/COMMENTS
OFFICIALCERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (14 total pages) are being transmitted via facsimile transmission to Examiner Gabriel L. Chu, Mail Stop NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 703-872-9306 on March 29, 2004.

Judith L. Volk
Judith L. Volk

March 29, 2004
Date

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PATENT
Att'y Docket No. IBM/180/124
Confirmation No. 6868**CERTIFICATE OF FACSIMILE TRANSMISSION**

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Judith L. Volk
Judith L. Volk

March 29, 2004
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Roy Block et al. Art Unit: 2114
Serial No.: 09/827,804 Examiner: Gabriel L. Chu
Filed : April 6, 2001
For : NODE SHUTDOWN IN CLUSTERED COMPUTER SYSTEM

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. ☒ Transmitted herewith is an Amendment and Response.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
☐ Enclosed is a verified statement to establish Small Entity status
☒ Other than a Small Entity
3. The fee has been calculated as shown below:

CALCULATION OF FEES

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	30	minus	30	0	\$18	\$0.00
Independent Claims	5	minus	5	0	\$86	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$290	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

- ☒ No additional fee for claims is required.

Page 1 of 2
Serial No. 09/827,804
Transmittal for Amendment of March 29, 2004
IBM Docket: ROC920000312US1
WH&E IBM/180

4. ☐ Attached is a check in the sum of \$_____ for additional claims.
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$_____.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 420.00	\$ 210.00
<input type="checkbox"/>	three months	\$ 950.00	\$ 475.00
<input type="checkbox"/>	four months	\$1,480.00	\$ 740.00
<input type="checkbox"/>	five months	\$2,010.00	\$1,005.00

Extension fee due with this request:

\$

Method of Payment:

Check enclosed in the amount of \$

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.

OR

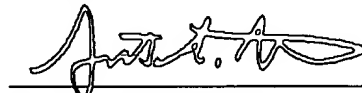
- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:



Scott A. Stinebruner
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Roy Block et al. Art Unit: 2114
Serial No.: 09/827,804 Examiner: Gabriel L. Chu
Filed: April 6, 2001 Atty. Docket No.: IBM/180
For: NODE SHUTDOWN IN CLUSTERED COMPUTER SYSTEM

AMENDMENT AND RESPONSE

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated December 29, 2003, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.

Page 1 of 11
Serial No. 09/827,804
Amendment and Response dated March 29, 2004
Reply to Office Action of December 29, 2003
IBM Docket ROC920000312US1
WH&E IBM/180
K:\ibm\180\Amendment and Response to 12-29-03 OA.wpd